

HECTOR PENA, ETANO

Plaintiff(s)

Index # 07 CIV 8427

- against -

Purchased September 28, 2007

DALIZA PHARMACY, INC., ETANO

Defendant(s)

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

DAN KNIGHT BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on October 6, 2007 at 05:19 PM at

453 NORTH GREENBUSH RD.  
PRIVATE HOUSE  
BLAUVELT, NY 10913

deponent served the within SUMMONS AND COMPLAINT on LUIS A. PEREZ, SR. therein named,

**SUITABLE  
AGE**

by delivering thereat a true copy of each to DALIZA PEREZ a person of suitable age and discretion. Said premises is Defendant's dwelling house within the state. She identified herself as the DAUGHTER of the Defendant.

Deponent further states that he describes the person actually served as follows:

<u>Sex</u>	<u>Skin Color</u>	<u>Hair Color</u>	<u>Age (Approx.)</u>	<u>Height (Approx.)</u>	<u>Weight (Approx.)</u>
<u>FEMALE</u>	<u>WHITE</u>	<u>BROWN</u>	<u>21</u>	<u>5'5</u>	<u>140</u>

**MAILING**

Deponent enclosed a copy of same in a postpaid wrapper properly addressed to the Defendant at the Defendant's last known residence at

453 NORTH GREENBUSH RD.  
BLAUVELT, NY 10913

and deposited said wrapper in a post office or official depository under exclusive care and custody of the United States Postal Service within New York State on October 9, 2007 by REGULAR FIRST CLASS MAIL in an envelope marked PERSONAL & CONFIDENTIAL and not indicating on the outside thereof, by return address or otherwise, that the communication is from an attorney or concerns an action against the person to be served.

**MILITARY  
SERVICE**

Person spoken to was asked whether the Defendant was in the military service of the State of New York or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the Defendant is not in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

That at the time of such service deponent knew the person so served as aforesaid to be the same person mentioned and described as the Defendant in this action.

Sworn to me on: October 9, 2007

JOEL GRABER  
Notary Public, State of New York  
No. 02GR4699723  
Qualified in New York County  
Comm. Expires February 10, 2010

JONATHAN GRABER  
Notary Public, State of New York  
No. 01GR6156780  
Qualified in New York County  
Comm. Expires December 4, 2010

  
DAN KNIGHT

Invoice #: 448982